

REMARKS

Reconsideration of this application as amended herewith is respectfully requested.

This Amendment is filed concurrently with a Request for Continued Examination ("RCE") in lieu of filing an Appeal Brief in response to the Notice.

The Office Action rejected claim 10 and claim 11 under 35 U.S.C. 103(a) over U.S. Patent 5,891,427 to Mettler ("Mettler") and rejected claims 13-15 under 35 U.S.C. 103(a) over U.S. Patent 6,244,265 to Cronk et al. ("Cronk"). Claims 18 – 22 and 25 – 29 were objected to as being dependent upon a rejected base claim. New claims 30 - 37 were added. Claims 10, 11, 13, 14, 15, 16, 17, 23, and 24 were cancelled without prejudice or disclaimer to the subject matter contained therein. Claims 18 – 22, 25 – 29, and 30 - 37 remain pending after entry of this amendment.

Also filed concurrently herewith is a Supplemental Information Disclosure Statement, in which Applicants cite the same references as were cited in the Supplemental Information Disclosure Statement dated 18 October 2002 and delivered via hand and the Second Supplemental Information Disclosure Statement mailed on 2 December 2002 via Certificate of First Class Mailing.

Claims 30 - 37 were added to further highlight patentable features of the present invention. Support for these claims may be found in the Specification as originally filed, for example, at page 2, lines 9 – 10 and 28 – 31, and as such do not introduce new matter into the application.

Claims 18 – 22 and claims 25 – 29 were "objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any

intervening claims.” Accordingly, claim 10 was deleted, and the language of independent claim 10 was included in claims 18 – 22, respectively, which were each dependent upon claim 10. Similarly, claim 13 was deleted, and the language of independent claim 13 was included in claims 25 - 29, respectively, which were each dependent upon claim 13. Applicants respectfully submit that these amendments neither narrowed the scope of claims 18 – 22 or claims 25 – 29, nor were related to the patentability thereof. Attached hereto is a marked-up version of the claims added. The attached page is captioned “Version with Markings to Show Changes Made.”

In view of the cancellation of claims 10, 11, and 13 - 15, and the amendment to claims 18 – 22 and 25 – 29, Applicants respectfully submit that the rejection under 35 USC § 103(a) over Mettler and the rejection under 35 USC § 103(a) over Cronk has been overcome and should be withdrawn.

It is submitted that the foregoing amendments and remarks place the case in condition for allowance. A notice to that effect is earnestly solicited.

Respectfully submitted,

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Dated: 20 February 2003

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JBP521.amt.2-13.doc

Version with Markings to Show Changes Made

IN THE CLAIMS

The following claims were cancelled without prejudice:

Claims 10, 11, 13, 14, 15, 16, 17, 23, and 24

The following claims were added:

--30. (New) The method of claim 19 wherein the mammal is a child.--

--31. (New) The method of claim 30 wherein the child is an infant of an age from about 1 day to about 2 years.--

--32. (New) The method of claim 21 wherein the mammal is a child.--

--33. (New) The method of claim 32 wherein the child is an infant of an age from about 1 day to about 2 years.--

--34. (New) The personal care composition of claim 26 wherein the mammal is a child.--

--35. (New) The personal care composition of claim 34 wherein the child is an infant of an age from about 1 day to about 2 years.--

--36. (New) The personal care composition of claim 28 wherein the mammal is a child.--

--37. (New) The personal care composition of claim 36 wherein the child is an infant of an age from about 1 day to about 2 years.--

The following claims were amended:

18. (Amended) The method of [claim 10] soothing a mammal comprising administering to said mammal a personal care composition which comprises an effective amount of a sensory fragrance, wherein the personal care composition is capable of reducing the cortisol level of the mammal by about 0.1 to about 75 % and/or increasing the slgA level of the mammal by about 10% to about 150%, wherein the personal care composition is a shampoo.

19. (Amended) The method of [claim 10] soothing a mammal comprising administering to said mammal a personal care composition which comprises an effective amount of a sensory fragrance, wherein the personal care composition is capable of reducing the cortisol level of the mammal by about 0.1 to about 75 % and/or increasing the slgA level of the mammal by about 10% to about 150%, wherein the personal care composition is a wash or bath.

20. (Amended) The method of [claim 10] soothing a mammal comprising administering to said mammal a personal care composition which comprises an effective amount of a sensory fragrance, wherein the personal care composition is capable of reducing the cortisol level of the mammal by about 0.1 to about 75 % and/or increasing the slgA level of the mammal by about 10% to about 150%, wherein the personal care composition is a powder.

23. (Amended) The method of [claim 10] soothing a mammal comprising administering to said mammal a personal care composition which comprises an effective amount of a sensory fragrance, wherein the personal care composition is capable of reducing the cortisol level of the mammal by about 0.1 to about 75 % and/or increasing the slgA level of the mammal by about 10% to about 150%, wherein the personal care composition is a lotion.

24. (Amended) The method of [claim 10] soothing a mammal comprising administering to said mammal a personal care composition which comprises an effective amount of a sensory fragrance, wherein the personal care composition is capable of reducing the cortisol level of the mammal by about 0.1 to about 75 % and/or increasing the slgA level of the mammal by about 10% to about 150%, wherein the personal care composition is a wipe.

25. (Amended) The personal care composition [of claim 13] comprising an effective amount of a sensory fragrance, wherein said sensory fragrance comprises one or more members of the group consisting of chamomile, rose, orange, tuberose, sandalwood, lavender, cedarwood, bergamot, and benzoin resin, and wherein the personal care composition is capable of reducing the cortisol level in a mammal by about 0.1 to about 75% and/or increasing the slgA level in the human by about 10% to about 150%, and wherein the personal care composition is a shampoo.

26. (Amended) The personal care composition [of claim 13] comprising an effective amount of a sensory fragrance, wherein said sensory fragrance comprises one or more members of the group consisting of chamomile, rose, orange, tuberose, sandalwood, lavender, cedarwood, bergamot, and benzoin resin, and wherein the personal care composition is capable of reducing the

cortisol level in a mammal by about 0.1 to about 75% and/or increasing the slgA level in the human by about 10% to about 150%, and wherein the personal care composition is a wash or bath.

27. (Amended) The personal care composition [of claim 13] comprising an effective amount of a sensory fragrance, wherein said sensory fragrance comprises one or more members of the group consisting of chamomile, rose, orange, tuberose, sandalwood, lavender, cedarwood, bergamot, and benzoin resin, and wherein the personal care composition is capable of reducing the cortisol level in a mammal by about 0.1 to about 75% and/or increasing the slgA level in the human by about 10% to about 150%, and wherein the personal care composition is a powder.

28. (Amended) The personal care composition [of claim 13] comprising an effective amount of a sensory fragrance, wherein said sensory fragrance comprises one or more members of the group consisting of chamomile, rose, orange, tuberose, sandalwood, lavender, cedarwood, bergamot, and benzoin resin, and wherein the personal care composition is capable of reducing the cortisol level in a mammal by about 0.1 to about 75% and/or increasing the slgA level in the human by about 10% to about 150%, and wherein the personal care composition is a lotion.

29. (Amended) The personal care composition [of claim 13] comprising an effective amount of a sensory fragrance, wherein said sensory fragrance comprises one or more members of the group consisting of chamomile, rose, orange, tuberose, sandalwood, lavender, cedarwood, bergamot, and benzoin resin, and wherein the personal care composition is capable of reducing the cortisol level in a mammal by about 0.1 to about 75% and/or increasing the

slgA level in the human by about 10% to about 150%, and wherein the personal care composition is a wipe.